

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Gary McLeod**

**Docket No. 5:22-CR-137-4M**

**Petition for Action on Probation**

COMES NOW Michael Torres, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Gary McLeod, who, upon an earlier plea of guilty to False Statements, in violation of 18 U.S.C. § 1001(a)(2), was sentenced by the Honorable Richard E. Myers II, Chief United States District Judge, on September 18, 2023, to 3 years' probation (first 18 months home detention with electronic monitoring). Supervision was transferred to the Eastern District of New York.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** The defendant was ordered to pay \$10,822.64 in restitution, and a \$100 special assessment fee. He is currently ordered to pay \$300.00 per month until the balance is paid in full. The defendant has failed to begin making payments and is currently \$900.00 in arrears. The defendant is being supervised by Senior United States Probation Officer Lee Kwok in the Eastern District of New York. Officer Kwok completed an evaluation of the defendant's current income and finances. It was determined that the defendant receives inadequate Social Security income to afford the \$300.00 per month payment towards his current restitution balance. Officer Kwok is respectfully requesting that the defendant's payment be reduced from \$300.00 per month to \$100.00 per month. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

According to Officer Kwok, on October 27, 2023, the defendant submitted a drug screen that was positive for marijuana. Officer The defendant was verbally reprimanded and counseled about his actions. Officer Kwok advised that he would continue to monitor the defendant's drug use, and should it escalate, he will address it within his district.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall make monthly payments at least \$100.00 until the remainder of his criminal monetary obligations are satisfied.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

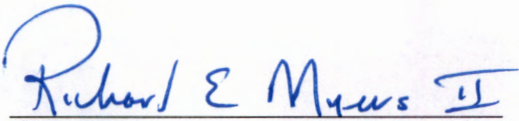
/s/ Dewayne L. Smith  
Dewayne L. Smith  
Supervising U.S. Probation Officer

/s/ Michael Torres  
Michael Torres  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 910-929-0768  
Executed On: December 5, 2023

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**ORDER OF THE COURT**

Considered and ordered this 12<sup>th</sup> day of December, 2023, and ordered filed and made a part of the records in the above case.



Richard E. Myers II  
Chief United States District Judge